

Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.owrd.state.or.us

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MAY 10 2016

Water-Use Permit Application Processing

SALEM, OR

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law.owrd). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- ☐ SECTION 1: applicant information and signature
- ☐ SECTION 2: property ownership
- ☐ SECTION 3: source of water requested
- ☐ SECTION 4: water use
- ☐ SECTION 5: water management
- ☐ SECTION 6: resource protection
- ☐ SECTION 7: project schedule
- ☐ SECTION 8: within a district
- ☐ SECTION 9: remarks

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Attachments:

- ☐ Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- ☐ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☐ Fees - Amount enclosed: \$
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- ☐ Permanent quality and drawn in ink
- ☐ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☐ North Directional Symbol
- ☐ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☐ Reference corner on map
- ☐ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west)
- ☐ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☐ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- ☐ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- ☐ Other:

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Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME <u>Nathan Newsom</u>		PHONE (HM) <u>503-769-3025</u>	
PHONE (WK) <u>503-769-3025</u>	CELL <u>541-829-8428</u>	FAX	
ADDRESS <u>40929 Huntley Rd SE</u>			
CITY <u>Stayton</u>	STATE <u>OR</u>	ZIP <u>97383</u>	E-MAIL * <u>nnewsom3217@gmail.com</u>

Organization Information

NAME		PHONE		FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL *	

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE		FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL *	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (paper copies of the final order documents will also be mailed.)

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By my signature below I confirm that I understand:

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- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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I (we) affirm that the information contained in this application is true and accurate.

Applicant Signature

Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

Revised

App. No. 5-88283

For Department Use
Permit No. _____

Date _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

☒ Yes

☒ There are no encumbrances.

☐ This land is encumbered by easements, rights of way, roads or other encumbrances.

☐ No

☐ I have a recorded easement or written authorization permitting acc

☐ I do not currently have written authorization or easement permitting a

☐ Written authorization or an easement is not necessary, because the only a
own are state-owned submersible lands, and this application is for irrigation
domestic use only (ORS 274.040).

☐ Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (attach additional sheets if necessary).

You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Newson Lake

Tributary to: Bear Branch Creek

Source 2: _____

Tributary to: _____

Source 3: _____

Tributary to: _____

Source 4: _____

Tributary to: _____

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in item 3A above?

☒ Yes.

☐ No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

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If *all* sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

☐ By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement (you) to impound the volume of water you propose to use in application.
- A copy of your written agreement with the party (if any) delivering the water to you.

SECTION 4: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
NELOM LAKE	NURSERY CROPS	JANUARY 1 - DECEMBER 31 ST	☐ cfs ☐ gpm ☒ af
	IRRIGATION	FEBRUARY - NOVEMBER	☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 17 ACRES Acres Supplemental: 0 Acres

List the Permit or Certificate number of the underlying primary water right(s): _____

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: _____

- If the use is municipal or quasi-municipal, attach Form M
- If the use is domestic, indicate the number of households: _____
- If the use is mining, describe what is being mined and the method(s) of extraction: _____

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Revised 2/1/2012

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2-88783 3.28.17

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

☒ Pump (give horsepower and type): ^{5 HP} ~~10 HP~~ / CENTRIFUGAL PUMP

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

High pressure sprinkler for a few days on seedlings, change to drip

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

We will use drip and eventually wean off during main season for dry farming using heavy mulch/rain.

SECTION 6: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

☒ Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions: already screened

☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Describe planned actions: we have lots of brush/water plants to keep erosion from happening.

☒ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.

Describe: NO NEED TO OPERATE EQUIPMENT WITHIN THE LAKE.

☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe: we farm organically

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SECTION 7: PROJECT SCHEDULEDate construction will begin: LAKE IS ALREADY CONSTRUCTEDDate construction will be completed: N/ADate beneficial water use will begin: ASAP**SECTION 8: WITHIN A DISTRICT**

☐ Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 9: REMARKSUse this space to clarify any information you have provided in the application.

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPL.

In order for your application to be processed by the Water Resources Department, the Land Use Information Form must be completed by a local government within the jurisdiction(s) where your water right will be used and developed. The applicant must choose to complete the form while you wait, or return the receipt stub to the WRD. Receipts received by WRD without the Land Use Form or the receipt stub will be rejected. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: Nathan First Newsom Last

Mailing Address: 40929 Huntley Rd SE

Stayton City OR State 97383 Zip Daytime Phone: 503-769-3025

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
4S	1E	19		506	SEU	☐ Diverted	☐ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

LINN COUNTY	RECEIVED BY OWRD MAY 10 2016
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B. Description of Proposed Use

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Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
☐ Water Right Transfer
☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License
☐ Allocation of Conserved Water
☐ Exchange of Water

Source of water: ☒ Reservoir/Pond
☐ Ground Water
☐ Surface Water (name) _____

Estimated quantity of water needed: 4 _____
☐ cubic feet per second
☐ gallons per minute
☒ acre-feet

Intended use of water: ☒ Irrigation
☐ Commercial
☐ Industrial
☐ Domestic for _____ household(s)
☐ Municipal
☐ Quasi-Municipal
☐ Instream
☐ Other _____

Briefly describe:

We intend to irrigate 2 acres of crops	RECEIVED BY OWRD SEP 08 2016 SALEM, OR
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Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

Surface Water/9

WR

Revised 2/1/2012

S-00203

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LCC 928.310(B)(1)

☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

<u>PD16-0104</u>	RECEIVED BY OWRD MAY 10 2016 SALEM, OR
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Name: Alyssa Boles Title: Planner
 Signature: Alyssa Boles Phone: 501-967-3816 Date: 4/28/16
 Government Entity: Linn County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use is **compatible with local comprehensive plans.**

Receipt for Request for Land Use Information

SALEM, OR

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Date _____

(For staff use only)



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ SECTION 1: _____
- ☐ SECTION 2: _____
- ☐ SECTION 3: _____
- ☐ SECTION 4: _____
- ☐ SECTION 5: _____
- ☐ SECTION 6: _____
- ☐ SECTION 7: _____
- ☐ SECTION 8: _____
- ☐ SECTION 9: _____
- ☐ Land Use Information Form _____
- ☐ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☐ Fees _____

MAP

- ☒ Permanent quality and drawn in ink
- ☐ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☐ North Directional Symbol
- ☐ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☐ Reference corner on map
- ☐ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west)
- ☐ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☐ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- ☐ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- ☐ Other _____

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Exhibit "A"

Real property in the County of Linn, State of Oregon, described as follows:

PARCEL I:

Beginning at an iron rod which is 489.43 feet East and 434.00 North from the Southwest corner of Section 19, Township 9 South, Range 1 East of the Willamette Meridian, Linn County, Oregon and running thence North 885.00 feet to a point in the center of a creek; thence following the center of said creek upstream the following courses and distances; South 85° East 30.00 feet; thence South 29° 48' East 113.83 feet; North 72° 51' East 43.21 feet; North 49° 15' East 71.12 feet; South 25° 32' East 57.40 feet; North 89° 55' East 57.04 feet; North 00° 37' East 72.96 feet; North 52° 58' East 149.41 feet; North 67° East 70.00 feet; South 37° 40' East 35.89 feet; South 27° 23' West 30.00 feet; South 40° 05' East 151.87 feet; North 24° 52' East 55.34 feet; North 80° 28' East 75.29 feet; North 10° 02' East 71.00 feet; North 78° 07' East 59.56 feet; South 68° 48' East 139.97 feet to a point in the East line of the West half of the Southwest quarter of said Section 19; thence South 00° 53' East along said East line 846.10 feet to a 5/8" iron rod; thence South 87° 16' West 866.73 feet to the point of beginning.

PARCEL II:

A 30 foot strip of land described as follows: Beginning at the Southwest corner of that tract of land conveyed to Gordon E. Cook and S. Jean Cook, husband and wife, by Warranty Deed recorded November 15, 1989 in Volume 516, Page 429, Linn County Microfilm Records and running thence South 87° 16' West 853.48 feet to a point in the center of the County Road; thence North 11° West 30.31 feet; thence North 87° 16' East 859.27 feet; thence South 30.03 feet to the point of beginning.

NOTE: This Legal Description was created prior to January 01, 2008.

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**Oregon Water Resources Department
Water Rights Information Query**

Permit: R 15162 *

[Main](#) [Help](#)
[Return](#) [Contact Us](#)
Contact Information(Click to
Collapse...)▼ **Current contact information**

OWNER:

- ▶ JANIS NEWSOM
- 40929 HUNTLEY RD SE
- STAYTON, OR 97383

Water Right Information(Click to
Collapse...)**Status:** Non-Cancelled**County:** Linn**Authority:** HB2376**File Folder Location:** SalemWatermaster District: 16**Workflow** (Click to Collapse...)▶ **Application: R 88151**▼ **Permit: R 15162 document , paper map**

▶ Signature: 3/16/2016

Permit Workflow

Action	Date	Result	Completed By
Completion Date [C Date]	3/16/2021		

▶ **View right with Web Mapping**▶ **View Places of Use from Water Rights in the Same Area****Scanned Documents**

(Click to Expand...)

Point(s) of Diversion

(Click to Collapse...)

▶ **POD 1 - RUNOFF > NORTH SANTIAM RIVER**▶ **POD 2 - BEAR BRANCH CREEK > NORTH SANTIAM RIVER****Place(s) of Use**

(Click to Collapse...)

Add TRS grouping▶ **Use - MULTIPLE PURPOSE****(Primary); Priority Date: 11/19/2015****Water Right Genealogy**

(Click to Collapse...)

App: R 88151

L-Permit: R 15162 *

[View Water Rights in same Family](#)[Report Errors with Water Right Data](#)

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SALEM, OR

S-88263



After recording return to:
Nathan A Newsom
40929 Huntley Road SE
Stayton, OR 97383

Until a change is requested all tax
statements shall be sent to the
following address:
Nathan A Newsom
40929 Huntley Road SE
Stayton, OR 97383

File No.: 7083-2494423 (LB)
Date: July 24, 2015

THIS SPACE RESERVED FOR RECORDER'S USE

LINN COUNTY, OREGON

2015-14937

D-WD

Stn=10 S. WILSON

09/11/2015 02:20:25 PM

\$15.00 \$11.00 \$10.00 \$19.00 \$20.00

\$75.00

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.

Steve Druckenmiller - County Clerk

STATUTORY WARRANTY DEED

Peter Martushev, Grantor, conveys and warrants to **Nathan A Newsom**, Grantee, the following
described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. The **2015-2016** Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in
the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$440,000.00**. (Here comply with requirements of ORS 93.030)

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S-88283

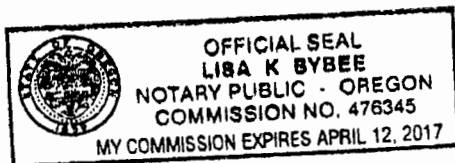
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

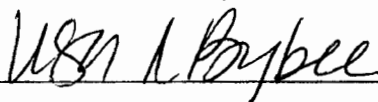
Dated this 10 day of September, 2015.


Peter Martushev

STATE OF Oregon)
)ss.
County of Marion)

This Instrument was acknowledged before me on this 10 day of September, 2015
by **Peter Martushev**.





Notary Public for Oregon
My commission expires: 4-12-17

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SEP 08 2016

SALEM, OR

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Linn, State of Oregon, described as follows:

PARCEL I:

Beginning at an iron rod which is 489.43 feet East and 434.00 North from the Southwest corner of Section 19, Township 9 South, Range 1 East of the Willamette Meridian, Linn County, Oregon and running thence North 885.00 feet to a point in the center of a creek; thence following the center of said creek upstream the following courses and distances; South 85° East 30.00 feet; thence South 29° 48' East 113.83 feet; North 72° 51' East 43.21 feet; North 49° 15' East 71.12 feet; South 25° 32' East 57.40 feet; North 89° 55' East 57.04 feet; North 00° 37' East 72.96 feet; North 52° 58' East 149.41 feet; North 67° East 70.00 feet; South 37° 40' East 35.89 feet; South 27° 23' West 30.00 feet; South 40° 05' East 151.87 feet; North 24° 52' East 55.34 feet; North 80° 28' East 75.29 feet; North 10° 02' East 71.00 feet; North 78° 07' East 59.56 feet; South 68° 48' East 139.97 feet to a point in the East line of the West half of the Southwest quarter of said Section 19; thence South 00° 53' East along said East line 846.10 feet to a 5/8" iron rod; thence South 87° 16' West 866.73 feet to the point of beginning.

PARCEL II:

A 30 foot strip of land described as follows: Beginning at the Southwest corner of that tract of land conveyed to Gordon E. Cook and S. Jean Cook, husband and wife, by Warranty Deed recorded November 15, 1989 in Volume 516, Page 429, Linn County Microfilm Records and running thence South 87° 16' West 853.48 feet to a point in the center of the County Road; thence North 11° West 30.31 feet; thence North 87° 16' East 859.27 feet; thence South 30.03 feet to the point of beginning.

NOTE: This Legal Description was created prior to January 01, 2008.

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SALEM, OR

S-88203